

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

IN RE GENERAL ELECTRIC COMPANY  
ERISA LITIGATION

No. 06-CV-315 (GLS/DRH)

(Lead Case)

**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT  
AND PLAN OF ALLOCATION OF SETTLEMENT PROCEEDS,  
AWARD OF ATTORNEYS' FEES AND EXPENSES,  
AND AWARD OF SERVICE AWARDS TO THE NAMED PLAINTIFFS**

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PLEASE TAKE NOTICE that plaintiffs Robert R. Bezio, Umberto Cavalieri and Floyd Miklic (“Named Plaintiffs”), in their individual capacity and in their capacity as representatives of the Settlement Class, by their undersigned attorneys, will move before the Honorable Gary L. Sharpe, United States District Judge, at the James T. Foley U.S. Courthouse, Albany, New York, on May 20, 2009 at 9:00 a.m., or as soon thereafter as counsel may be heard, as set forth in the Order Preliminarily Approving Settlement dated February 5, 2009, for the entry of an Order pursuant to Rule 23 of the Federal Rules of Civil Procedure: (1) granting final approval of the proposed settlement with all defendants on the terms and conditions reflected in the Class Action Settlement Agreement dated December 19, 2008 (the “Settlement Agreement,” filed with the Court on December 19, 2008 as Exhibit 1 to the Declaration of Lori G. Feldman); (2) granting final approval of the proposed Plan of Allocation of the net proceeds of the Settlement; (3) granting final certification of the Settlement Class; (4) granting an award of attorneys’ fees to Class Counsel and reimbursement of expenses incurred by Class Counsel in connection with the successful prosecution of this class action; and (5) granting Service Awards to the Named Plaintiffs in light of their assistance in prosecuting this litigation.<sup>1</sup>

This Motion is supported by the accompanying (a) Joint Declaration of Evan J. Kaufman and Lori G. Feldman in Support of Class Action Settlement and Plan of Allocation of Settlement Proceeds, Award of Attorneys’ Fees and Expenses, and Award of Service Awards to the Named Plaintiffs; (b) Plaintiffs’ Memorandum of Law in Support of Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds, Award of Attorneys’ Fees and Expenses, and Award of Service Awards to the Named Plaintiffs; and (c) Compendium of Exhibits in Support of Plaintiffs’ Motion for Final Approval of Class Action Settlement and Plan

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<sup>1</sup> Unless otherwise stated, all capitalized terms used herein shall have the meanings set forth in the Settlement Agreement.

of Allocation of Settlement Proceeds, Award of Attorneys' Fees and Expenses, and Award of Service Awards to the Named Plaintiffs.

A proposed form of Order is submitted herewith.

Dated: May 6, 2009

Respectfully submitted,

/s/ Jeffrey J. Sherrin

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